

**A RESOLUTION
BY FINANCE/EXECUTIVE COMMITTEE**

07- R-0309

A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH DESMEAR SYSTEMS, INC. FOR FC-3006007928, PERRY BOULEVARD STREETSCAPES (TE) PROJECT, ON BEHALF OF THE DEPARTMENT OF PUBLIC WORKS, IN AN AMOUNT NOT TO EXCEED SEVEN HUNDRED SEVENTY SEVEN THOUSAND ONE HUNDRED TWENTY TWO DOLLARS AND NO CENTS (\$777,122.00); ALL CONTRACTED WORK WILL BE CHARGED TO AND PAID FROM FUND, ACCOUNT AND CENTER NUMBERS: 1B02 (INTERGOVERNMENTAL GRANT FUND) 574001 (FACILITIES OTHER THAN BUILDINGS) M23F0544AEB0 (PERRY BLVD STREETSCAPE, PHASE II) (\$500,000.00), 1C50 (2004 QUALITY OF LIFE FUND) 574001 (FACILITIES OTHER THAN BUILDINGS) Y63F058992BH (STREETSCAPE PROJECTS, DISTRICT 9) (\$277,122.00); AND FOR OTHER PURPOSES.

WHEREAS, the City of Atlanta ("City") did solicit for FC-3006007928, Perry Boulevard Streetscapes Project; and

WHEREAS, the Commissioner of Public Works requires an agreement for the purpose of construction of sidewalks, driveways, curbs, drainage installation, pavement markings and signage, landscaping and other pedestrian amenities located on Perry Boulevard between Habershal Road and McCallie Boulevard; and

WHEREAS, the contract was awarded to T3 Design Associates, Inc. pursuant to Resolution 06-R-2129; and

WHEREAS, T3 Design Associates, Inc. was unable to secure bonding for this project; and

WHEREAS, the Commissioner of the Department of Public Works and the Chief Procurement Officer have recommended that FC-3006007928, Perry Boulevard Streetscapes Project, be awarded to the second lowest bidder, Desmear Systems, Inc., in an amount not to exceed Seven Hundred Seventy Seven Thousand One Hundred Twenty Two Dollars and No Cents (\$777,122.00).

THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA, HEREBY RESOLVES, that the Mayor is authorized to enter into an agreement with Desmear Systems, Inc. ("Desmear") for FC-3006007928, Perry Boulevard Streetscapes Project, in an amount not to exceed Seven Hundred Seventy Seven Thousand One Hundred Twenty Two Dollars and No Cents (\$777,122.00).

BE IT FURTHER RESOLVED, the term of the contract will be for one (1) year with a single, one (1) year renewal option at the City's sole discretion.

BE IT FURTHER RESOLVED, that all contracted work will be charged to and paid from Fund, Account and Center Numbers: 1B02 (Intergovernmental Grant Fund) 574001 (Facilities Other Than Buildings) M23F0544AEB0 (Perry Blvd Streetscape, Phase II) (\$500,000.00), 1C50 (2004 Quality of Life Fund) 574001 (Facilities Other Than Buildings) Y63F058992BH (Streetscape Projects, District 9) (\$277,122.00).

BE IT FURTHER RESOLVED, that the Chief Procurement Officer is directed to prepare an appropriate Agreement for execution by the Mayor.

BE IT FINALLY RESOLVED, that the Agreement will not become binding on the City and the City will incur no obligation nor liability under it until it has been executed by the Mayor, attested to by the Municipal Clerk, approved as to form by the City Attorney, and delivered to Desmear.

Part II: Legislative White Paper:

A. To be completed by Legislative Counsel:

Committee of Purview: Finance/Executive

Caption: A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH DESMEAR SYSTEMS, INC. FOR FC-3006007928, PERRY BOULEVARD STREETSCAPES (TE) PROJECT, ON BEHALF OF THE DEPARTMENT OF PUBLIC WORKS, IN AN AMOUNT NOT TO EXCEED SEVEN HUNDRED SEVENTY SEVEN THOUSAND ONE HUNDRED TWENTY TWO DOLLARS AND NO CENTS (\$777,122.00); ALL CONTRACTED WORK WILL BE CHARGED TO AND PAID FROM FUND, ACCOUNT AND CENTER NUMBERS: 1B02 (INTERGOVERNMENTAL GRANT FUND) 574001 (FACILITIES OTHER THAN BUILDINGS) M23F0544AEB0 (PERRY BLVD STREETSCAPE, PHASE II) (\$500,000.00), 1C50 (2004 QUALITY OF LIFE FUND) 574001 (FACILITIES OTHER THAN BUILDINGS) Y63F058992BH (STREETSCAPE PROJECTS, DISTRICT 9) (\$277,122.00); AND FOR OTHER PURPOSES.

Council Meeting Date: March 5, 2007

Requesting Dept.: Public Works

B. To be completed by the department :

1. Please provide a summary of the purpose of this legislation (Justification Statement).

The purpose of this legislation will award FC-3006007928, Perry Blvd Streetscapes to the 2nd lowest bidder ; Desmear Systems, Inc. due to the original awardee not being able to obtain bonding.

2. Please provide background information regarding this legislation.

T3 Design Associates was originally awarded the contract in October. After several attempts to obtain bonding, the awardee was unsuccessful. DPW would like to move forward with the project thus, awarding to the 2nd lowest bidder Desmear Systems, Inc.

3. If Applicable/Known:

(a) **Contract Type (e.g. Professional Services, Construction Agreement, etc):** Construction

(b) **Source Selection:** Bid

(c) Bids/Proposals Due: 7/12/2006

(d) Invitations Issued: 150

(e) Number of Bids: 9

(f) Proposals Received:

(g) Bidders/Proponents:

(h) Term of Contract: 1 yr w/ 1 yr renewal option

4. Fund Account Center: 1B02 (INTERGOVERNMENTAL GRANT FUND) 574001 (FACILITIES OTHER THAN BUILDINGS) M23F0544AEB0 (PERRY BLVD STREETScape, PHASE II) (\$500,000.00), 1C50 (2004 QUALITY OF LIFE FUND) 574001 (FACILITIES OTHER THAN BUILDINGS) Y63F058992BH (STREETScape PROJECTS, DISTRICT 9) (\$277,122.00)

5. Source of Funds:

6. Fiscal Impact: \$777,122.00

7. Method of Cost Recovery: N/A

This Legislative Request Form Was Prepared By: Soraya Belgrave

LEGISLATIVE SUMMARY
FC-3006007928, Perry Boulevard Streetscape

TO: FINANCE/EXECUTIVE COMMITTEE

CAPTION

A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH DESMEAR SYSTEMS, INC. FOR FC-3006007928, PERRY BOULEVARD STREETSCAPES (TE) PROJECT, ON BEHALF OF THE DEPARTMENT OF PUBLIC WORKS, IN AN AMOUNT NOT TO EXCEED SEVEN HUNDRED SEVENTY SEVEN THOUSAND ONE HUNDRED TWENTY TWO DOLLARS AND NO CENTS (\$777,122.00); ALL CONTRACTED WORK WILL BE CHARGED TO AND PAID FROM FUND, ACCOUNT AND CENTER NUMBERS: 1B02 (INTERGOVERNMENTAL GRANT FUND) 574001 (FACILITIES OTHER THAN BUILDINGS) M23F0544AEB0 (PERRY BLVD STREETSCAPE, PHASE II) (\$500,000.00), 1C50 (2004 QUALITY OF LIFE FUND) 574001 (FACILITIES OTHER THAN BUILDINGS) Y63F058992BH (STREETSCAPE PROJECTS, DISTRICT 9) (\$277,122.00); AND FOR OTHER PURPOSES.

Committee Meeting Date:	February 28, 2007
Council Meeting Date:	March 5, 2007
Requesting Dept.:	Public Works
Contract Type:	Construction
Source Selection:	Bid
Invitations Mailed:	Approximately 150 invitations mailed
Dates Advertised:	In the AJC 06/04/06 and 06/11/06 and Webpage 05/08/06 to 06/28/06
Bids Due:	July 12, 2006
Bids Received:	9
Bidders:	T3 Design Associates (\$555,784.50.00) Desmear Systems, Inc. (\$777,122.00) ** SD&C Contractors (\$781,497.75) Ginarc Construction (\$830,993.82) Precision 2000 (\$908,758.80) Nile, Inc. (\$950,080.00) Shaheed's Construction (\$1,100,273.14) Randolph Company (\$1,342,145.00) CMES, Inc. (\$1,378,030.00) <i>** Contract awarded to second lowest bidder due to the fact the previous contractor T3 Design Associates was unable to secure bonding for this project.</i>
Contractor:	Desmear Systems, Inc.
Estimated Value:	\$777,122.00

Scope Summary:

The construction services required by this contract include streetscape and traffic calming improvements along Perry Boulevard, between Habershal Road and McCallie Boulevard fronting the West Highland project.

Background:

One year (1) with a one (1) year renewal option at the City's sole discretion.

Evaluation Team:

The Review/Evaluation Committee members comprised of three (3) representatives from the Department of Public Works' Quality of Life Bond Program (QOLBP) and representatives from the Office of Contract Compliance.

DOP Due Diligence:

Adesina Tewogbade the Principal for Desmear Systems, Inc. confirms that their proposed pricing of \$777,122.00 is still valid. Representatives from DPW confirm that the price is within their estimate.

Prepared By:

Staci M. Wilbon, CPPB, Contracting Officer Senior

Contact Number:

(404) 330-6556



CITY OF ATLANTA

SHIRLEY FRANKLIN
MAYOR

55 TRINITY AVE., SW, ATLANTA, GEORGIA 30303-0324
SUITE 4700, CITY HALL - SOUTH
(404) 330-6240
FAX (404) 658-7552
Email: publicworks@atlanta.gov

DEPARTMENT OF PUBLIC WORKS

David E. Scott, P.E.
Commissioner

MEMORANDUM FOR: RECOMMENDATION FOR AWARD

TO: Adam L. Smith, Chief Procurement Officer
Department of Procurement

FROM: David E. Scott, P.E., Commissioner
Department of Public Works *for David E. Scott*

SUB: Recommendation for Award to 2nd lowest bidder
Contractor: **Desmear Systems Inc.**
FC-3006007928, Perry Blvd. Streetscape Project/Traffic Calming

DATE: **January 26, 2007**

The Department of Public Works (DPW) recommends that Desmear Systems, Inc be considered for award on the above referenced project.

Justification

T3 Design Associates (T3) was notified of award officially on September 14, 2006. They returned the signed contract in November without the required Payment and Performance Bonds. After several attempts to contact the Contractor to get the Bonds, we received a letter from the surety company withdrawing the support of obtaining the bonds due to T3 not providing them with the pertinent information needed.

DPW would like to move forward with this project utilizing the 2nd lowest bidder: Desmear Systems, Inc. whose bid submittal of \$777,122.00 is still within our estimate.

If you have any questions, please feel free to contact Soraya Belgrave, Contracting Officer Sr. at (404) 330-6002.

cc: Greg Holder, Department of Public Works
Staci Wilbon, Department of Procurement
Soraya Belgrave, Department of Public Works / File

CITY OF ATLANTA
DEPT. OF PROCUREMENT

2006 JUL 24 PM 2:48



CITY OF ATLANTA

SUITE 1700
55 TRINITY AVENUE, SW
ATLANTA, GA 30303
(404) 330-6010 Fax: (404) 658-7359
Internet Home Page: www.atlantaga.gov

Shirley Franklin
Mayor

OFFICE OF CONTRACT COMPLIANCE
Hubert Owens
Director
howens@atlantaga.gov

MEMORANDUM

TO: Adam L. Smith, Chief Procurement Officer
Department of Procurement

FROM: Hubert Owens, Director *HO*
Mayor's Office of Contract Compliance

RE: Bid Recommendation for FC 3006007928, Perry Boulevard Streetscape
Project

DATE: July 21, 2006

The Office of Contract Compliance has reviewed the nine bids for minority and female business enterprise participation. All nine bidders are eligible under Section 2-1449(a)(2)(C) of the Equal Business Opportunity (EBO) Code of Ordinances. However, only eight bidders have been deemed responsive by the Office of Contract Compliance. For your information, they have committed to utilize AABEs, FBEs, HBEs and ABEs as indicated below:

T3 Design Associates, Inc.

Peachtree Electrical

AABE 25%

Ballard Construction

FBE 15%

Participation Total

40%

Desmear Systems, Inc.

Civil Works, Inc.

AABE 17%

T3 Design Associates, Inc.

FBE 17%

Participation Total

34%

MEMORANDUM

TO: Adam L. Smith
FROM: Hubert Owens
RE: Bid Recommendation for FC 3006007928, Perry Boulevard Streetscape Project
DATE: July 21, 2006
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SD & C

Knight & Associates	AABE 9%
JKG Electrical	AABE 18%
Deerfield Paving	AABE 9%
BE & BA, LLC	HBE 6%
Safety Signals	FBE 2%
Flintstone Pavers	FBE 2%
Participation Total	46%

Ginarc Construction, Inc.

Flintstone Pavers, Inc.	FBE 3%
Meadow Creek	FBE 6%
Kissberg Construction	FBE 4%
JKG Electrical	AABE 17%
ARI, Inc.	AABE 4%
Participation Total	34%

Precision 2000, Inc.

Engitek	FBE 12%
T.M.C. Grassing, Inc.	FBE 2%
TEM Construction, LLC	FBE 3%
Knight & Associates	AABE 10%
JRK Trucking	ABE 10%
Participation Total	37%

Nile, Inc.

Knights & Associates	AABE 53%
Aviel Lawn Care & Landscaping, LLC	FBE 21%
Participation Total	74%

Shaheed's Construction Co., Inc.

Thrasher Trucking	AABE 10%
C&S Paving	FBE 14%
Flintstone Paving	FBE 3%
Gantt Construction	AABE 7%
Participation Total	34%

Randolph & Company

Urban Services Group	AABE 23%
MAR Trucking	FBE 3%
Flintstone Pavers	FBE 2%
Participation Total	28%

MEMORANDUM

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DATE: July 21, 2006
PAGE: 3

<u>CMES, Inc.</u>	0%
No subcontractors listed	
Participation Total	0%
Non-responsive	

If you have questions, please contact me at (404) 330-6010 or Bruce T. Bell at (404) 330-6009.

cc: File
Erin K. Jenkins, DOP

TRANSMITTAL FORM FOR LEGISLATION

TO: MAYOR'S OFFICE

ATTN: GREG PRIDGEON

Legislative Counsel (Signature): Megan S. Middleton



Contact Number: 6207

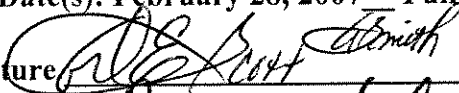
Originating Department: Public Works

Committee(s) of Purview: Finance/Executive

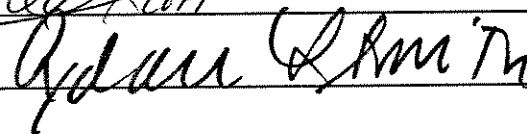
Council Deadline: February 12, 2007

Committee Meeting Date(s): February 28, 2007 Full Council Date: March 5, 2007

Commissioner Signature



Chief Procurement Officer




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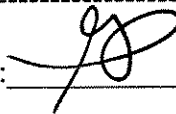
FINANCIAL IMPACT (if any) \$777,122.00

Mayor's Staff Only

Received by Mayor's Office:

2-12-07 
(date)

Reviewed by:



Submitted to Council:

2/15/07
(date)